

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Board of Trustees,

Plaintiff,

v.

Case No. 2:18-cv-23

Specialty Contracting, Inc., et al.,

Judge Michael H. Watson

Defendants.

ORDER

Plaintiff moves for default judgment against Defendant Specialty Contracting, Inc. ("Specialty Contracting"). Mot. Def. J., ECF No. 24. The Court **GRANTS** Plaintiff's motion.

Plaintiff's complaint was filed on January 9, 2018. Compl., ECF No. 1. The summons for Specialty Contracting was returned executed on March 27, 2018. ECF No. 12. Specialty Contracting failed to file a responsive pleading. Plaintiff moved for default judgment on September 20, 2018. ECF No. 24. After being informed that default had not been entered against Specialty Contracting, Plaintiff applied to the Clerk for entry of default, ECF No. 25, which the Clerk entered on September 24, 2018, in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, ECF No. 26. Plaintiff then supplemented its motion for default judgment on September 24, 2018. ECF No. 27. The time for filing a response has passed.

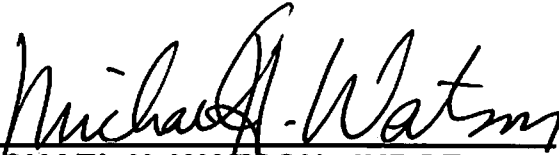
On September 25, 2018, the Magistrate Judge entered a report and recommendation (R&R) recommending that Plaintiff's motion for default judgment be granted. ECF No. 28. The R&R informed the parties of their right to object within fourteen days and specifically noted that the failure to object would result in waiver of the right to de novo review by the District Judge or the right to appeal the District Court's adoption of the R&R. *Id.* at 3. No objections have been filed.

Accordingly, the R&R, ECF No. 28, is **ADOPTED** and **AFFIRMED**. Plaintiff's unopposed motion for default judgment is **GRANTED**. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** against Specialty Contracting.

The Court awards \$9,904.34, including unpaid fringe benefit contributions, liquidated damages, and interest for October 2017 through December 2017, plus attorney's fees of \$6,860.00 plus interest from the time of judgment at the rate of 1% per month, and the costs of this action.

Additionally, Defendant Jonathan Good is **DISMISSED** from this action without prejudice.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT